

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, MARCH 3, 2014**

Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

Invocation by Arthur Trovei

Attendance

Supervisor: Karl Brabenec

Councilmember's: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith (arrived at 7:43 p.m.)

Attorney: Glen Plotsky

Engineer: Alfred Fusco, Jr.

Call to Order at 7:42 p.m.

Pledge of Allegiance by David Dean

Roll Call/Attendance

Additions or Changes to Agenda – None

Councilman Dean wished leaders in Washington weren't so ineffective. He thought good Americans should pay attention and get hold of their representatives. They are going down the wrong road with Russia and the Ukraine. There is discussion in this country about cutting the military to spend money on social programs.

Presentations/Communications

Supervisor Brabenec reported receiving a communication from Harrison & Burrowes Bridge Construction about the demolition of six bridges on westbound I-84 structures over the Neversink and Delaware Rivers involving the Town of Deerpark and Port Jervis, New York, Matamoras and Westfall, Pennsylvania, and Montague, New Jersey. These bridges are over County Route 15 and Country Route 16. They will work with two shifts, 7 a.m. to 4 p.m., then the 2nd shift from 4 p.m. to 1 a.m. Monday through Friday. On Saturday they will use to make up lost time due to weather restrictions. They will begin in April and work through June. NYSDOT needs a written acknowledgement from the town. Glen Plotsky thought they would do the work anyway and thought they could respond with a thank you for the notification. Al Fusco, Jr. said the town may benefit from those exiting the interstate, but that the worst part will be in Port Jervis when East Main Street gets done at the same time. Discussion followed.

Motion to Approve NYSDOT Bridge Work on I-84

Motion by Karl Brabenec, 2nd by Gary Spears to approve the NYSDOT Bridge work and convey to them this plan was acceptable and they appreciate being notified.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec reported that a letter was received from NYSDOT regarding construction to begin replacing bridges on Route 97 & 42 over the Shingle Kill.

Supervisor Brabenec reported that the Upper Delaware Scenic Byway (UDSB) requested a contribution 2014. Councilman Dean asked for \$1,000 to be donated.

Motion to Approve Donation to Upper Delaware Scenic Byway

Motion by David Dean, 2nd by Kenneth Smith to donate \$1,000.00 to the Upper Delaware Scenic Byway (UDSB) 2015.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec reported receiving communication from NYSDEC regarding projects on Big Pond Road and Black Rock Trail. These were two projects from Hurricane Irene and Tropical Storm Lee and the tributary that formed. Mr. Fusco explained that DEC found no fault due to work on Black Rock Trail, but after two extensions, they need a new permit. A new permit will help us according to Mr. Fusco, and FEMA has offered \$90,000 for culverts. He got them up to \$180,000, but the

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job is \$400,000. They have an extension to September 2015. This is the last project from those storms.

Motion to Declare 296 Guymard Turnpike (SBL 28-1-54) – Dangerous Building

Motion by Karl Brabenec, 2nd by David Dean to declare the structure at 296 Guymard Turnpike (SBL 28-1-54) a dangerous building upon communication from the Building Department and Demolish Building after a period of 30 days if there is no response from the record owner. (Letter from Building Department attached to Official Minutes)

Discussion: Supervisor Brabenec read the letter of recommendation from the Building Department and offered to put an update it on the April 7, 2014 Board Agenda. Mr. Fusco said they would submit a structural report to the board saying this is a dangerous building and under the ordinance, they would set up a public hearing. Hopefully, at the end of the public hearing, it would be resolved (if they agreed) to have it demolished, then they would have to have an asbestos survey.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Approve Town Board Minutes – February 24, 2014

Motion by Gary Spears, 2nd by Arthur Trovei to approve the Town Board Minutes from February 24, 2014.

VOTE: 4 AYES: Gary Spears, David Dean, Kenneth Smith, Karl Brabenec

1 ABSTENTION: Arthur Trovei

MOTION CARRIED

Motion to Adopt Resolution 10 of 2014 – Elimination of State Corporate Income Tax on Manufacturers

Motion by Karl Brabenec, 2nd by Gary Spears to adopt Resolution 10 of 2014 – Expansion of Proposal to Eliminate State Corporate Income Tax.

VOTE: 5 AYES (Roll Call): Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Appoint Linda Otto to the Ethics Board

Motion by Gary Spears, 2nd by Arthur Trovei to appoint Linda Otto to the Ethics Board.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Public Comment Period – None

Motion to Accept Bids for Two Surplus Gas Sanders

Motion by Gary Spears, 2nd by Arthur Trovei to accept bids for 1) \$790.00 and 2) \$560.00 for the Highway Gas Sanders, according to the Highway Superintendent's recommendation.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Reject Bids for Two Surplus Gas Sanders

Motion by Karl Brabenec, 2nd by Gary Spears to reject bids 3) and 4) for the Highway Gas Sanders, according to the Highway Superintendent's recommendations due to their not meeting the minimum bids.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills

Motion by Karl Brabenec, 2nd by Kenneth Smith to pay bills that have been signed by three council members and may be viewed in the Town Clerk's Office.

General Fund Abstract #4 of 2014 in the amount of \$70,777.48

Highway Fund Abstract #4 of 2014 in the amount of \$13,728.16

Engineering Fund Abstract #3 of 2014 in the amount of \$1,270.30

Capital Projects Abstract #2 of 2014 in the amount of \$10,031.02

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

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Motion to Accept the February 2014 Budget Officer's Report

Motion by Gary Spears, 2nd by Arthur Trovei to accept and receive the February 2014 Budget Officer's Report.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Closing Board Comments

Councilman Spears – None

Councilman Trovei – Wants the winter to be over.

Councilman Dean said that at the NRA Banquet, David Hoovler gave a shout out that the Deerpark Town Board was the first in New York State to pass a resolution against the "Safe Act." On behalf of the Town Board, he wished to thank David Hoovler for the acknowledgement.

Councilman Smith – None

Supervisor Brabenec – application received Planning Board

Motion to Correct Motion in February 24, 2014 Minutes from Alice to Ali Chamois as Assistant Assessor

Motion by Karl Brabenec, 2nd by Gary Spears to correct the Motion in February 24, 2014 Minutes from Alice to Ali Chamois as Assistant Assessor.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Approve Donating \$600.00 to VFW for New Flags

Motion by Karl Brabenec, 2nd by Kenneth Smith to approve donating \$600.00 to the VFW for the purchase of new flags.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Enter Executive Session at 8:30 p.m. to Discuss Tax Certiorari Update

Motion by Karl Brabenec, 2nd by Gary Spears to enter Executive Session at 8:30 p.m. for the purpose of discussing the tax certiorari update and invite in Attorney Glen Plotsky.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Recess until 8:30 p.m.

Motion by Karl Brabenec, 2nd by Arthur Trovei to recess until 8:30 p.m.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Re-Enter Regular Session at 8:57 p.m.

Motion by Gary Spears, 2nd by Arthur Trovei to re-enter regular session at 8:57 p.m.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Motion to Adjourn at 8:58 p.m.

Motion by Gary Spears, 2nd by Arthur Trovei to adjourn at 8:58 p.m.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini, Town Clerk